United Nations S/2017/939

Security Council

Distr.: General
20 November 2017

Original: English

Report of the Secretary-General on trafficking in persons in armed conflict pursuant to Security Council resolution 2331 (2016)

I. Introduction

1. In its resolution 2331 (2016), the Security Council unanimously condemned all instances of trafficking in persons in areas affected by armed conflicts as a violation of the victims' human rights, potentially amounting to war crimes, and as acts that undermine the rule of law, finance and drive the recruitment of terrorist groups, exacerbate conflict and undermine development. In the resolution, the Council called upon Member States to ratify legal instruments, investigate, disrupt and dismantle trafficking networks, analyse the links between trafficking and the financing of terrorism, and implement robust mechanisms for the identification of victims so as to provide them with protection and assistance. It also requested several United Nations entities to respond to the matter within their respective mandates and encouraged the building of strong partnerships with the private sector and civil society.

2. The present report is my first follow-up report on the implementation of Security Council resolution 2331 (2016) and on strengthening coordination within the United Nations system to prevent and counter trafficking in persons in armed conflict in all its forms. It is based on information provided by Member States, United Nations entities and relevant international and regional bodies.

II. Recent developments concerning trafficking in persons related to conflict

3. The debates at the Security Council on trafficking in persons that took place on 16 December 2015, 20 December 2016 and 15 March 2017, as well as the report of the Secretary-General on the implementation of measures to counter trafficking in persons of 10 November 2016 (S/2016/949), helped the international community understand the severity of human trafficking in conflict and post-conflict situations. Additional elements to increase awareness and shape the response to the involvement of armed and terrorist groups in trafficking in persons were provided in the 2016 reports of the Special Rapporteur on trafficking in persons, especially women and children (S/2016/949 and A/71/303). I have also recently reported on instances of conflict-related sexual violence that encompass trafficking in persons *when committed in situations* of conflict for the purpose of sexual violence/

17-18608 (E) 151117

Please recycle

exploitation (S/2017/249). However, more needs to be done to address human trafficking in areas affected by conflict, which is facilitated by the weakness or collapse of the rule of law.

4. The activities of terrorist groups such as the Islamic State of Iraq and the Levant (ISIL, also known as Da'esh),[1] and other armed groups engaging in human trafficking continue to raise grave concern. Girls and women continue to be exploited, forced into marriage and offered as a reward to fighters and associates. As the ISIL stronghold in Iraq and the Syrian Arabic Republic rapidly recedes, it is imperative that the perpetrators of these heinous crimes be brought to justice and held accountable.

5. The collection of reliable evidence is of paramount importance to end the impunity of traffickers and abusers. In order to support domestic efforts in Iraq to hold ISIL accountable, I am establishing an investigative team to collect, preserve and store evidence of acts of terrorism as well as of trafficking in persons and other acts that may amount to war crimes, crimes against humanity or genocide (see Security Council resolution 2379 (2017)). I call upon all States to fully support and cooperate with the Investigative Team. I also call upon all States to fully support and cooperate with the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011, established by the General Assembly in January 2017 (see General Assembly resolution 71/248).

6. Boko Haram has also continued to attack civilians and exploit women and children, including girls. As result of its activities, the Lake Chad Basin has become an area affected by armed conflict and trafficking in persons. The Multinational Joint Task Force, established by the Lake Chad Basin countries to combat Boko Haram, reported that the group's operations affected or threatened to affect up to 20 million people and that, owing to territorial gains from January 2016 to March 2017, it has freed at least 20,570 people from the control of Boko Haram (see S/2017/403).

7. At the same time, threats are becoming more evident in other regions of the world. I am particularly alarmed by reports of acts associated with human trafficking in Libya (see S/2017/726), where migrants are sold as commodities in slave markets. On 8 May 2017, the Prosecutor of the International Criminal Court briefed the Security Council that her Office was considering opening an investigation into these crimes in Libya (see S/PV.7934). In South-East Asia, I am deeply concerned about the vulnerability of Rohingya refugees to trafficking.

8. In the last 12 months, several United Nations entities reported on situations associated with the trafficking in persons as set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. In Colombia, the United Nations documented 79 cases of sexual violence during sporadic operations by armed groups throughout 2016, including forced prostitution, sexual torture, sexual slavery and harassment by armed groups and government forces (see S/2017/249). In its 2017 report, the Panel of Experts on Yemen reported that black-market channels for trafficking in arms, drugs and persons have reopened in that conflict-torn country (see S/2017/81). The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo reported systematic recruitment and use of children in combat by militias operating in the Democratic Republic of the Congo (see S/2017/565). Repeated

[1] Listed as Al-Qaida in Iraq (QDe.115).

cases of recruitment and use of children in combat have also been reported in the Central African Republic (see A/72/361-S/2017/821). The Office of my Special Representative for Children and Armed Conflict is monitoring and assessing this situation, as these trafficking cases may involve the sale or barter of children, including across borders.

9. Children are the most vulnerable to becoming victims of trafficking in conflict situations. Armed and terrorist groups such as the Lord's Resistance Army in the Central African Republic, the Ejército de Liberación Nacional in Colombia, Boko Haram in Nigeria, the Moro National Liberation Front in the Philippines and Al-Shabaab in Somalia, continue to recruit boys and girls for combat or support functions (ibid.). ISIL is radicalizing boys and young men to commit terrorist acts, using deception, threats and promises of rewards (see A/72/164). In the Philippines, armed and terrorist groups used a total of 47 children as human shields in two separate incidents (see S/2017/294), while in north-east Nigeria, the United Nations Children's Fund (UNICEF) reported that 83 children, including 55 girls, were used to carry out suicide bombings from 1 January to 22 August 2017 alone.[2]

10. The risk of child trafficking in situations of armed conflict is a related issue of concern for the mandate of my Special Representative for Children and Armed Conflict, who addressed the topic in her most recent annual report to the Human Rights Council (A/HRC/34/44). Her Office circulated guidance on how to report abduction cases, which would improve data collection and response to human trafficking. Moreover, in the last 12 months I have submitted to the Security Council country-specific reports on the situation of children and armed conflict in Nigeria (S/2017/304), the Philippines (S/2017/294), Somalia (S/2016/1098) and the Sudan (S/2017/191), all of which addressed acts closely linked to human trafficking, such as the abduction of children.

11. In October 2017, the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child-abuse material, together with the Special Rapporteur on trafficking in persons, especially women and children, submitted a joint thematic report to the General Assembly on the vulnerabilities of children to sale, trafficking and other forms of exploitation in situations of conflict and humanitarian crisis (A/72/164). In the report, the Special Rapporteurs identified unaccompanied or separated children fleeing or displaced by conflict, or otherwise on the move, as most vulnerable to trafficking, and urged that more be done to help Member States find and support such children.

12. In the follow-up to the 2016 New York Declaration for Refugees and Migrants (General Assembly resolution 71/1), during the preparatory phase of the global compact for safe, orderly and regular migration, a dedicated thematic session on the smuggling of migrants, trafficking in persons and contemporary forms of slavery was held in September 2017 in Vienna. At that session, Member States emphasized the importance of integrating anti-trafficking responses into the work of humanitarian actors in conflict settings.

13. Addressing human trafficking in conflict situations was also on the agenda at the General Assembly debate on the Global Plan of Action to Combat Trafficking in Persons, held on 27 and 28 September 2017. In the political declaration adopted unanimously by the General Assembly (General Assembly resolution 72/1) on 27 September 2017, it expressed concern over the increasing links between armed and terrorist groups and trafficking in persons involving the coercion of victims into

[2] UNICEF press release, "Use of children as 'human bombs' rising in north-east Nigeria", 22 August 2017. Available from www.unicef.org/media/media_100686.html, accessed on 13 November 2017.

sexual slavery and forced labour or into acting as combatants. In the political declaration, the Assembly further encouraged the sensitization and training of United Nations personnel, in particular those operating in conflict and humanitarian situations, on how to identify and respond to victims of human trafficking and sexual exploitation.

III. Measures reported by Member States

A. Implementation of applicable legal obligations to prevent, criminalize, investigate and prosecute trafficking in conflict situations

14. The Trafficking in Persons Protocol offers, in conjunction with the United Nations Convention against Transnational Organized Crime (Organized Crime Convention), a framework for States to reinforce cooperation in extradition and mutual legal assistance, strengthen international law enforcement cooperation and facilitate the exchange of information in relation to trafficking offences perpetrated by armed and terrorist groups. During the reporting period, two States have become parties to the Convention and the Protocol, Fiji, on 19 September 2017, and Japan, on 11 July 2017. As at 31 October 2017, there were 189 States Parties to the Convention and 172 States Parties to the Protocol.

15. The majority of Member States have adopted legislation criminalizing trafficking in persons in line with their obligations under the Trafficking in Persons Protocol. However, only one State reported that its legislation criminalizing human trafficking specifically covered exploitation in armed conflict. One State mentioned that its anti-trafficking legislation, which covered all the forms of exploitation mentioned in the Protocol as well as exploitation for the purpose of any other act which constitutes an offence, was wide enough to encompass prosecutions with regard to the trafficking in persons for the purpose of use in armed conflict.

16. A number of States established jurisdiction over trafficking offences committed outside their territory in accordance with article 15 of the Organized Crime Convention. One State reported that, in order to establish jurisdiction over trafficking offences committed abroad by its nationals, the offence should also be criminalized where it occurred; while another State reported that, in spite of the general requirement of dual criminality for the prosecution of crimes committed abroad, this would not apply to offences related to trafficking in persons. I invite Member States to consider the latter approach so as to facilitate cooperation and curtail impunity.

17. A number of States have established national strategies and action plans to improve their response to human trafficking. Some States have ensured that their national action plans against human trafficking are complementary to and mutually reinforcing of their action plans on women, peace and security. This is a welcome approach, which, in one case, led to the inclusion of anti-trafficking expertise in the monitoring of the implementation of action plans for women, peace and security reinforcing national coordination and response under both agendas.

18. Some States stressed that coordinating the anti-trafficking efforts of the competent government departments and consulting with civil society actors and international organizations when developing anti-trafficking policies strengthens the response to human trafficking, including in conflict situations. One Member State has set targets for its anti-trafficking action that specifically take into consideration circumstances in conflict areas such as: baseline research on trafficking in conflict zones; measures to address gaps in issuance of identity documents for those residing in conflict-affected areas; the prioritization of conflict zones in anti-trafficking

prevention programmes; and the development of multimedia materials on specific types of trafficking, such as recruitment and use of children in armed conflict.

B. Investigating, disrupting and dismantling human trafficking networks operating in the context of armed conflict

19. Many States highlighted the challenges associated with investigating and prosecuting human trafficking, particularly in the context of armed conflict. In response to this, they considered coordination to be of paramount importance in addressing the activity of armed and terrorist groups involved in human trafficking. The establishment of a cross-government strategic group to combat the involvement of organized crime in trafficking and of anti-trafficking multidisciplinary task forces were highlighted as good practices. In one State, task forces involving law enforcement, prosecutors and victim service providers operate in defined areas of responsibility to identify and rescue victims, investigate and prosecute trafficking offences and carry out advocacy and community education activities to prevent trafficking. This has resulted in the filing of a significant number of trafficking cases in the areas affected by armed conflict where the task forces operate.

20. States reported a number of successful initiatives to enhance information exchange and joint operations relating to cases of trafficking, including those affecting victims from conflict zones. The European Multidisciplinary Platform against Criminal Threats project, established under the auspices of Europol, enables the exchange of operational information on trafficking at the regional level. The promotion and establishment of operational structures to enhance information exchange and of joint investigation teams were reported as practices to strengthen coordination and capacities along migration routes, including to address the trafficking of persons fleeing conflict.

C. Implementation of victim identification mechanisms and access to protection and assistance for victims, particularly in relation to conflict

21. Many States underlined early identification as a crucial element for the provision of adequate protection to victims of trafficking, including victims in conflict-affected areas or fleeing conflict. I am pleased that several States have reported significant efforts in this area, which include setting up hotlines and establishing identification and referral mechanisms. Some States regularly update and review their identification mechanisms to respond to new trends in human trafficking and improve the identification of victims and potential victims among refugees and persons fleeing conflict.

22. The training of professionals interacting with vulnerable populations is vital for the early identification of victims of trafficking. Several Member States have reported increased training for government employees in law enforcement, border control, reception centres for asylum seekers and detention facilities, to strengthen their capacities to identify victims and potential victims of trafficking. One State reported that such capacity-building efforts have resulted in an increase in the numbers of referrals to assistance providers based in reception centres for asylum seekers. In other cases, guidance material developed by States for asylum seekers includes information on specialized victim assistance providers and other entities providing support to victims of trafficking. The provision of such information is aimed at encouraging self-identification by victims and enabling them to seek adequate assistance.

States to comply with the international standards on anti-money-laundering to ensure that their financial intelligence units and law enforcement agencies are better equipped to detect financial flows associated with human trafficking activity.

29. Cooperation and partnerships are crucial to responding to trafficking in persons, and this is particularly true regarding the disruption of financial activity and flows associated with trafficking. At the international level, the exchange of information within the Egmont Group of Financial Intelligence Units on human trafficking networks and facilitators deserves to be encouraged. States have also emphasized the importance of cooperation in financial investigation through regional initiatives. One State developed partnerships between government and national and international banks, so as to better understand and respond to the exploitation of the financial system by criminal and terrorist groups.

IV. Response of the United Nations system and other international and regional bodies

A. Support provided by United Nations entities and other international bodies to Member States to prevent and respond to trafficking in persons in conflict and post-conflict situations

30. Over the last 12 months, United Nations entities and other international and regional bodies have stepped up their support to Member States and their overall efforts to prevent and respond to trafficking in persons in conflict and post-conflict situations. The United Nations Office on Drugs and Crime (UNODC) continued to provide technical assistance to Member States, upon their request, to help them implement the Trafficking in Persons Protocol. The activities of UNODC to support States affected by conflict include: strengthening the capacity of criminal justice practitioners to investigate, prosecute and adjudicate trafficking offences; supporting the development of legislation and national referral mechanisms to identify and assist victims of trafficking, including among people fleeing conflict; and working with national authorities to integrate modules on human trafficking into their national law enforcement training schools.

31. UNODC addressed the issue of the treatment by State authorities of women and children trafficked by terrorist groups and suspected of involvement in criminal activities during their trafficking experience. This challenging issue was addressed at a national workshop organized in May 2017 for legal aid lawyers assigned to defend children associated with Boko Haram. In addition, UNODC is developing a publication on the gender dimensions of criminal justice responses to terrorism, which will address the treatment of women and girls exploited by terrorist groups.

32. The Team of Experts on the Rule of Law and Sexual Violence in Conflict, of the Office of my Special Representative on Sexual Violence in Conflict, has to date engaged with 10 States and assisted them in the areas of criminal investigation and prosecution, legislative reform and the protection of victims and witnesses in cases of sexual violence in conflict situations.

33. UNODC and the Office of the United Nations High Commissioner for Human Rights (OHCHR) are supporting countries in West Africa to build their capacities for the gender-sensitive treatment of victims of sexual and gender-based violence by terrorist groups and for the investigation and prosecution of such cases. This includes training on the connection between terrorism-related offences, trafficking offences and war crimes and on investigating such offences. To enhance the impact

of these efforts, OHCHR and UNODC are developing a training module for practitioners of a particular country on these topics.

34. The Office of the United Nations High Commissioner for Refugees (UNHCR) with Member States, continued implementing measures to strengthen the identification, prevention, protection, assistance and provision of solutions for refugees and stateless persons who are also victims of trafficking or at risk of being trafficked. These measures include: communication with communities to raise awareness of the risks of irregular movements; strengthening national legislation and protection-sensitive entry systems; supporting legal and policy frameworks to prevent the detention of victims of trafficking; ensuring that victims of trafficking and their children are registered and have access to meaningful international protection where they need it; and preventing refugees, stateless persons, internally displaced persons and returnees from falling victim to trafficking. UNHCR has also recently launched new guidelines on the international protection needs of persons fleeing armed conflict and violence.

35. In 2017, the International Labour Organization (ILO) has integrated a module on combating human trafficking in conflict and humanitarian settings into its regular training course on identifying and investigating cases of forced labour and trafficking in persons targeting law enforcement and government officials. Together with the International Organization for Migration (IOM), ILO is building on this module to develop a comprehensive training tool.

36. Special political missions overseen by the Department of Political Affairs seek to address human trafficking through the training of national authorities, reporting, public education and human rights advocacy. Field missions of the Department of Peacekeeping Operations provide support to host States on strengthening the rule of law and taking proactive action against trafficking in persons in crisis-affected areas. The Department of Peacekeeping Operations is providing anti-trafficking capacity-building to law enforcement in Afghanistan, the Central African Republic, the Democratic Republic of the Congo, Guinea-Bissau, Libya, Mali and Somalia. The Department of Political Affairs and the Department of Peacekeeping Operations, in partnership with UNODC and the International Criminal Police Organization (INTERPOL), launched the West Africa Coast Initiative, under which they created elite inter-agency units in four West African countries to fight transnational organized crime, including human trafficking. The Department of Peacekeeping Operations is also reinforcing its missions' uniformed policing and military capacity to address transnational threats, including human trafficking.

37. International and regional bodies have also engaged with States to enhance their capacity to counter human trafficking in conflict and post-conflict contexts. The Organization for Security and Cooperation in Europe is providing training to practitioners to better identify and protect potential victims within large movements of refugees and migrants and is currently conducting research aimed at analysing methods used by terrorist groups to groom, recruit and exploit victims. The International Centre for Migration Policy Development is implementing projects to build the capacity of authorities to identify and refer victims of trafficking among persons displaced by the conflict in the Syrian Arab Republic. INTERPOL established two counter-trafficking initiatives in the Sahel and North Africa that are aimed at developing law enforcement capacity.

B. Measures taken by United Nations agencies and other international bodies to prevent and respond appropriately to trafficking in persons in conflict and post-conflict situations

38. In response to Security Council resolution 2331 (2016), UNODC is developing a thematic paper on trafficking in persons in conflict situations with inputs from the broader United Nations system. The thematic paper is intended to be a first step towards enabling the integration of trafficking in persons into conflict prevention strategies, conflict analysis, integrated missions' assessment and planning, peacebuilding support and humanitarian response. Once it is ready, I will encourage its dissemination and use as the basis for developing tools and good practices on addressing trafficking in persons into the work by United Nations entities in line with their mandates.

39. UNODC and the Department of Peacekeeping Operations are developing a training module on human trafficking and the smuggling of migrants for in-mission training of police personnel. The aim of this initiative is to produce a training module for a selected peacekeeping operation and replicate it for use in other United Nations peacekeeping operations where applicable.

40. The United Nations voluntary trust fund for victims of human trafficking, administered by UNODC, under its third call for proposals, has set the priority of assisting victims coming out of a context of armed conflict, as well as victims identified among large movements of refugees and migration flows. The aim of the trust fund is to provide essential humanitarian, legal and financial aid to victims, as well as effective access to services and remedies.

41. IOM undertook several actions to strengthen its operational capacity to address and raise awareness about trafficking in persons in countries affected by crisis and conflict, as well as improving the effectiveness of responses. These actions included the creation of a trafficking in crisis roster of IOM experts for rapid deployment in crisis and conflict settings, including natural disasters; the publication of a manual on addressing trafficking and exploitation in emergency settings: response strategy and tools, intended for internal use during operations; and strengthening the capacity of other humanitarian and development actors to address trafficking and exploitation during protracted crisis settings. IOM also engaged in activities with the humanitarian community aimed at strengthening the capacity of first responders in addressing trafficking and exploitation in crisis and humanitarian settings.

42. UNHCR and IOM are in the process of updating the 2009 joint framework document on developing standard operating procedures for the identification and protection of victims of trafficking, which is aimed at improving the referral of victims of trafficking between the two agencies in accordance with their mandates, including in conflict and post-conflict settings.

43. As the food agency of the United Nations with a significant field presence, the World Food Programme (WFP) may observe protection incidents, including trafficking in persons in armed conflicts or post-conflict situations, while fulfilling its mandate of addressing food insecurity and malnutrition. Whenever possible, WFP staff refer such cases to United Nations actors that are mandated to handle them.

44. The United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, administered by the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), created a special funding window to support efforts to combat violence against women and girls in the context of the

forced displacement and refugee crisis. Under this window, the Fund supported projects in Iraq and Jordan aimed at addressing the needs of refugee and internally displaced women and girls who are survivors of violence.

45. The United Nations Action against Sexual Violence in Conflict network, consisting of 13 entities and chaired by my Special Representative, aims at strengthening sexual violence prevention and response through a coordinated and comprehensive approach. In the past two years, the network has funded five projects to support, primarily, Syrian and Iraqi survivors of sexual violence in conflict situations in the Middle East and North Africa.

46. Addressing victims' needs is a crucial component of the response to sexual violence and trafficking in conflict situations. OHCHR is currently monitoring the implementation of measures to ensure the protection and promotion of the rights of women and children targeted by Boko Haram. Additionally, OHCHR and the United Nations Assistance Mission for Iraq issued a report in August 2017 to document sexual violence and acts associated with human trafficking perpetrated by ISIL.

47. In continuation of the research and work on human trafficking in conflict situations that she has carried out since mid-2015 (see A/HRC/32/41 and A/71/303), the Special Rapporteur on trafficking in persons, especially women and children, pursued advocacy for the issue of trafficking in conflict situations and humanitarian crisis in international forums and actively participated in related initiatives and events, including a high-level side event on trafficking of women and children fleeing conflict during the sixty-first session of the Commission on the Status of Women.

48. The Office on Genocide Prevention and the Responsibility to Protect continues to assess, on the basis of its Framework of Analysis for Atrocity Crimes, situations of human trafficking that may be associated with or result in atrocity crimes. In this regard, the Office compiled a briefing note focused on the link between atrocity crimes, forced migration and human trafficking aimed at improving analysis on these situations and increasing cooperation among the relevant United Nations entities.

49. In May 2017, the United Nations University (UNU) organized a workshop to consider follow-up action to Security Council resolution 2331 (2016) and its intersection with target 7 of Sustainable Development Goal 8.

50. Sexual exploitation and abuse in conflict settings can be linked to human trafficking activities. Measures to strengthen the United Nations zero-tolerance policy against sexual exploitation and abuse will also reinforce the response to human trafficking in conflict situations. Since taking office, combating sexual exploitation and abuse has been one of my main priorities, and I have presented the operational strategy for achieving this in my report on special measures for protection from sexual exploitation and abuse (A/71/818). The high-level meeting on the prevention of sexual exploitation and abuse, held on 18 September 2017, showed the resolve of the international community to eradicate this scourge.

51. The Organization's first priority in countering sexual exploitation and abuse is to strengthen its support for victims, putting their rights and dignity first. For this reason, I have appointed a system-wide Victims' Rights Advocate to report directly to me. She will work to ensure that reliable, gender-sensitive pathways exist for every victim or witness to file complaints and that assistance is rapidly delivered. Additionally, in January 2017, I renewed the mandate of the Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse for another 12 months.

C. Efforts to improve knowledge on financial flows associated with trafficking in persons, including those that finance terrorism

52. With the guidance of the Counter-Terrorism Committee and in close cooperation with UNODC, the Counter-Terrorism Committee Executive Directorate has included elements related to trafficking in persons in its country assessments since March 2017. Through its follow-up and recommendations, the Directorate aims to enhance Member States' efforts to address human trafficking when committed for the purposes of financing and supporting terrorism.

53. The Counter-Terrorism Committee Executive Directorate has presented the main requirements of Security Council resolution 2331 (2016) pertaining to terrorism and the financing of terrorism in several forums, including at meetings of the Financial Action Task Force. The Executive Directorate has also developed and strengthened partnerships with representatives of the financial sector, financial regulators, investigators and prosecutors as well as civil society organizations, aimed at informing policymaking to address the links between terrorism financing and human trafficking.

54. In June 2017, the Financial Action Task Force launched a new project to update its knowledge on financial flows related to trafficking. The Task Force, working in partnership with the Asia-Pacific Group on Money Laundering and other Financial Action Task Force-style regional bodies, will study identifiable links between human trafficking and terrorist financing, update risk indicators to detect funds associated with human trafficking and identify good policy and operational practices in the area.

55. In March 2017, UNU organized a workshop that addressed disruption of financial flows associated with human trafficking, including in relation to conflict or the financing of terrorism. Recommendations that emerged from the workshop included the creation of a global, multi-stakeholder financial sector working group, the strengthening of sectoral knowledge uptake, the improvement of regulation and leadership and the promotion of information partnerships.

D. Integration of trafficking in persons and sexual violence in conflict situations in the work of sanctions committees and other entities

56. The sanctions regimes established by the Security Council provide important tools to combat impunity of armed and terrorist groups engaging in human trafficking. During the reporting period, the Security Council added specific references to trafficking in persons to two sanctions regimes. The Council included financial transactions relating to human trafficking among those that can be subject to an asset freeze under the sanctions regime applying to ISIL, Al-Qaida and associated individuals. It also encouraged States to consider submitting to the Sanctions Committee listing requests for individuals and entities associated with ISIL and Al-Qaida that are involved in trafficking in persons (see Security Council resolution 2368 (2017)). The Council also decided that the sanctions measures to address the situation in Mali would apply to those supporting or financing targeted individuals and entities through the proceeds of trafficking in persons and the smuggling of migrants (see Security Council resolution 2374 (2017)).

57. Additionally, and in accordance with Security Council resolution 2331 (2016), sanctions could be applied to individuals or entities engaging in all forms of human trafficking under sanctions regimes containing designation criteria that target acts associated with or amounting to trafficking, such as planning, directing, or committing acts that constitute human rights violations or abuses. My Special

Representatives for Children and Armed Conflict and on Sexual Violence in Conflict are endeavouring to provide the sanctions committees with relevant information on such acts that constitute violations of their protection mandates. My Special Representative on Sexual Violence in Conflict included names of individuals reportedly involved in trafficking in persons in her special report of December 2016 (see S/2016/1090). My Special Representative for Children and Armed Conflict briefed the Security Council Sanctions Committee on South Sudan in March 2017 on acts associated with trafficking in persons in armed conflict, such as the abduction of children for forced recruitment and other exploitative purposes. The Analytical Support and Sanctions and Monitoring Team, established pursuant to Council resolution 2331 (2016), has included the issue of trafficking in persons in its discussions with Member States. Monitoring groups, teams and panels that support the work of the sanctions committees should also continue to collect and transmit information on acts associated with or that could amount to trafficking in persons, whenever relevant to their mandate, as has been done in the past, for example, by the Panels of Experts on the Sudan (see S/2016/805 and S/2017/220) and on Libya (see S/2017/466).

E. Mitigating the risk of contributing to trafficking in armed conflict through United Nations agencies procurement and supply chains

58. Risks of trafficking in persons exist in all industries and markets. In times of conflict, unscrupulous economic operators may engage in human trafficking for the purpose of forced labour, but also for other types of exploitation. The United Nations agencies, whether they operate in conflict zones or not, need to take action to minimize the risk that their vendors or suppliers might engage in such practices.

59. The risk of trafficking in the United Nations supply chains could be mitigated through the requirements for vendor registration in the United Nations Global Marketplace, which is used by 27 organizations within the United Nations system. Suppliers who wish to be engaged in procurement activities of the United Nations system have to register in the Global Marketplace portal. When applying for registration, suppliers are required to accept and comply with the standards of the United Nations Supplier Code of Conduct, which include ensuring that they are not complicit in human rights abuses and prohibition of forced or compulsory labour. I call upon all agencies in the United Nations system to strengthen their due diligence review and report any suppliers engaged in human trafficking to the Global Marketplace to prevent them from being used by other organizations within the United Nations system.

60. I am convinced that further reinforcement by United Nations agencies of due diligence requirements in respect of procurement would allow the risk of human trafficking to be better addressed. I note that the general conditions of contract for the provision of goods and services by UNHCR invite contractors to undertake all possible measures to prevent their personnel from exploiting and abusing refugees and other persons of concern. UNHCR may terminate the contract if the contractor fails to investigate allegations of exploitation and abuse or to take corrective action. The United Nations system should consider using similar provisions making explicit reference to trafficking in persons in addition to exploitation and abuse, as well as to assess the compliance of suppliers with these requirements.

61. The United Nations Global Marketplace has a filtering mechanism in place to screen out suppliers who appear to match entities on the sanctions lists of the Security Council, as well as on the lists of suppliers suspended by the United Nations system and the World Bank, and block their registration until further due

diligence review. I expect this mechanism to be used to mitigate the risk of awarding contracts to suppliers engaging in trafficking in persons in armed conflict situations.

62. A promising practice reported by a Member State to disrupt human trafficking in supply chains is to require commercial operators with turnovers exceeding a certain amount to prepare a yearly statement on measures taken to ensure that their business and supply chains are free of trafficking. I invite the United Nations system to explore the option of introducing similar disclosure requirements for their major suppliers, which could include information on measures to address recruitment practices and on the methodology used in monitoring compliance with anti-trafficking corporate policies.

F. Efforts to improve research, data collection and analysis

63. Data collection and analysis on trafficking in conflict situations requires further strengthening. An important initiative in this regard is the development by UNODC of a structured system of data collection to advance research on trafficking in persons in the context of armed conflict, involving all relevant United Nations entities and aimed at establishing a typology of affected geographical areas, victim and offender profiles, means of trafficking and forms of exploitation.

64. The UNODC *Global Report on Trafficking in Persons* constitutes a credible and reliable source of information on the global efforts to combat trafficking in persons. The 2018 edition will include a dedicated chapter on trafficking in persons in conflict situations, and I strongly encourage all Member States to provide to UNODC any available information on instances of trafficking in persons in the context of armed conflict with a view to its collation and analysis.

65. Efforts to collect and analyse data along migration routes, especially those used by persons fleeing conflict areas, can also be instrumental to improving knowledge and data on trafficking in persons in conflict situations. Since 2016, IOM has engaged in an important initiative in this area, conducting flow monitoring surveys of more than 22,000 persons moving on the Central and Eastern Mediterranean migration routes, which includes a component on vulnerability to human trafficking. The analysis of a survey sample of over 16,000 individuals found that those who left their country of origin due to conflict are predicted to be more vulnerable to human trafficking in transit than those who left for other reasons.

66. In addition to this initiative, IOM, ILO and other partners have launched a quantitative study on the impact of armed conflict on trafficking, child recruitment and forced labour. The study will focus on displaced communities in the Democratic Republic of Congo, Nigeria and South Sudan, and is aimed at enhancing the knowledge base on scope, magnitude and trends in the topics discussed.

G. Strengthening cooperation to address human trafficking in conflict and humanitarian settings

67. In line with its General Assembly mandate, the Inter-Agency Coordination Group against Trafficking in Persons has continued to produce joint policy responses by United Nations agencies and other relevant international organizations, with the aim of facilitating a holistic and comprehensive approach to trafficking in persons, including in conflict and humanitarian settings. While the Group's potential as a system-wide coordination mechanism remains underutilized, particularly with regard to its active membership and the scope of its work, it has produced a number

of key outputs related to conflict over the last 12 months, including an issue brief on trafficking in persons in humanitarian crises, and a submission to the high-level meeting of the General Assembly on the appraisal of the United Nations Global Plan of Action to Combat Trafficking in Persons, in which trafficking in the context of conflict and humanitarian settings was identified as a priority area for intervention and corresponding recommendations were made to Member States for action. The Group also published "A toolkit for guidance in designing and evaluating counter-trafficking programmes", as a common framework for aligning activities, defining and assessing progress and building a robust and shared evidence-base of effective anti-trafficking programmes and practices, necessary to achieve all the anti-trafficking-related Sustainable Development Goals.

68. In recognition of its important contribution, the General Assembly has, in its most recent session, called upon the Inter-Agency Coordination Group against Trafficking in Persons to convene a first meeting at the level of principals of the relevant United Nations agencies and organizations, including those agencies that are not currently active members of the Group.

69. Additional initiatives have been established recently to improve cooperation against trafficking in conflict and crisis situations. The Task Team on Anti-trafficking in Humanitarian Action, established in July 2017 within the Global Protection Cluster of the Inter-Agency Standing Committee, aims at better addressing trafficking in humanitarian settings, including conflict and post-conflict situations. The Task Team is co-chaired by UNHCR, IOM and the non-governmental organization Heartland Alliance International. It seeks to provide recommendations and operational guidance to humanitarian clusters and actors involved in crisis response, including United Nations agencies, on how to best address trafficking in persons through humanitarian response mechanisms. The Alliance 8.7 Action Group on Conflict and Humanitarian Settings, led by IOM, UNHCR and UNICEF, is seeking to improve responses to trafficking, including in conflict situations.

V. Observations and recommendations

70. I am pleased to see that Member States, United Nations entities and relevant international bodies have made efforts over the past 12 months to improve their response to trafficking in persons in conflict situations, including to better protect persons affected by conflict at risk of being trafficked. However, the efforts of all stakeholders need to be further strengthened in order to bring perpetrators to justice and ensure that victims and potential victims, in particular among the most vulnerable populations, are swiftly identified, protected and properly assisted.

71. Strengthening the response of States to trafficking in persons should be based on a common understanding of trafficking in persons and a widely accepted legal framework to enhance their cooperation. The Trafficking in Persons Protocol and the Organized Crime Convention provide such a basis. I strongly encourage all Member States to ratify or accede to the Trafficking in Persons Protocol and the Organized Crime Convention, as well as all relevant international instruments and conventions, and to redouble their efforts to fully implement these instruments by effectively criminalizing trafficking in persons, providing victim protection and assistance and strengthening international cooperation. Efforts to hold perpetrators accountable would also benefit from addressing in domestic legislation all forms of trafficking in persons related to conflict. I also encourage States to enhance cross-government coordination against trafficking in persons and consider deploying

teams of specialized professionals in areas affected by conflict to strengthen the collection of evidence, investigation and identification of victims.

72. Effective prosecution of offenders requires the collection of solid and reliable evidence during the investigation. It is clear that the collection of evidence in areas affected by conflict where armed and terrorist groups operate will present serious challenges. I encourage Member States, whenever practicable, to enhance their efforts to collect, preserve and store evidence and to cooperate among themselves and with relevant international entities to that effect.

73. Analysis of financial flows and transactions associated with trafficking is also particularly important, as it would not only reinforce the investigation of trafficking offences, but would also provide information on the extent and nature of the financing of terrorism activities through human trafficking to expand the currently limited knowledge base. I therefore call on States to increase their efforts to collect, analyse and share such financial data, as well as to enhance their capacity to conduct proactive financial investigations and identify potential linkages with terrorism financing. I also encourage States to provide the Counter-Terrorism Committee Executive Directorate and the Monitoring Team with relevant information pertaining to linkages between human trafficking and terrorist financing, when applicable, to help strengthen their analytical efforts.

74. Trafficking in persons in conflict situations manifests itself with particular brutality and severity. Prompt identification of victims is of the utmost importance to ensure they are provided with the protection and assistance to which they are entitled, in order to enable them to overcome their traumatic experiences and facilitate their reintegration and rehabilitation, as well as to avoid stigmatization that may result from trafficking situations. Transit and destination States hosting people fleeing conflict also need to ensure reliable and expedient identification of victims of trafficking, and I am pleased that many States have reported concrete steps in this direction. These efforts should however be pursued to increase the number of victims identified. I encourage all Member States to augment efforts to enhance the capabilities of professionals interacting with persons fleeing conflict and refugees to identify victims or potential victims of trafficking. I also encourage them to adopt gender- and age-sensitive approaches and to ensure victims' access to appropriate support and assistance, irrespective of whether they are also collaborating with criminal proceedings.

75. Upon their release from captivity, particular attention should be given to the situation of victims trafficked by armed and terrorist groups and associated with the activities thereof. I invite States to thoroughly assess the individual situation of persons released from the captivity of armed and terrorist groups so as to enable prompt identification of victims of trafficking, and ensure that they are treated as victims of crime and not detained, prosecuted or punished for unlawful activities in which they have been compelled to engage.

76. I reiterate the strong commitment of the United Nations to complement the efforts of Member States to prevent and counter human trafficking in conflict situations. I welcome the efforts of UNODC and other relevant United Nations system actors with anti-trafficking expertise to support Member States in combating human trafficking. I also stress the important role that all United Nations entities operating in conflict and post-conflict situations can play in preventing and countering human trafficking, and in particular through the collection of data on trafficking in persons. With a view to strengthening this role, I undertake to include anti-trafficking in persons expertise in assessments of country situations conducted prior to the establishment of field missions. I also welcome the efforts of States to provide predeployment training on trafficking in persons to personnel who will be

deployed in peacekeeping operations. I will also endeavour to ensure that in-mission training of relevant personnel increasingly includes information enabling them to identify, respond and report on situations of trafficking in persons.

77. The efforts undertaken by United Nations entities reporting on conflict situations and their impact could also be reinforced to strengthen collection of data on trafficking in persons. In this respect, I stress the importance of the work of the relevant sanctions committees. I am convinced that the collection of information and efforts to address trafficking would benefit from the inclusion of designation criteria pertaining to acts of trafficking in persons in relevant sanctions regimes. Accordingly, I urge the Security Council to include such criteria when adopting or renewing sanctions regimes in situations of armed conflict, and ensure that monitoring groups, teams and panels of experts supporting the work of relevant sanctions committees work closely with anti-trafficking experts enabling them to identify and report on cases of trafficking in the implementation of their mandate.

78. Information-gathering mechanisms, such as the monitoring, analysis and reporting arrangements on conflict-related sexual violence and the monitoring and reporting mechanism on grave violations against children in situations of armed conflict are additional important tools for collecting data relating to trafficking in persons. I will ensure that the arrangements systematically collect data on conflict-related trafficking in persons for the purpose of sexual exploitation. With respect to the mechanism, I note that, while it currently gathers information and reports on acts associated with trafficking in persons, it does not specifically address trafficking as such, as trafficking is not included in the six grave violations that serve as the basis for information gathering through the mechanism. I am convinced that the gravity of human trafficking in conflict situations affecting children warrants additional focus. In this regard, I invite the Security Council to consider requesting that UNODC and my Special Representative for Children in Armed Conflict further explore how trafficking of children in conflict situations is linked to grave violations affecting them, with a view to comprehensively addressing all violations and abuses faced by children in this context.

79. Additionally, increased system-wide sharing of information within the Inter-Agency Coordination Group against Trafficking in Persons on activities carried out by its members to address trafficking in persons in conflict situations would certainly increase the level of coordination among United Nations stakeholders. I therefore encourage all United Nations system actors handling issues relating to trafficking in persons, including the Counter-Terrorism Committee Executive Directorate and key departments of the Secretariat that are not currently members of the Inter-Agency Coordination Group, to actively participate in its regular work. I look forward to UNODC, as the Coordinator of the Inter-Agency Coordination Group, convening a principal-level meeting in order to drive progress in this regard, including in the context of the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons and the 2030 Agenda for Sustainable Development. I also look forward to the contribution of the Task Team on Anti-trafficking in Humanitarian Action to the strengthening of the response of all humanitarian actors to trafficking in persons.